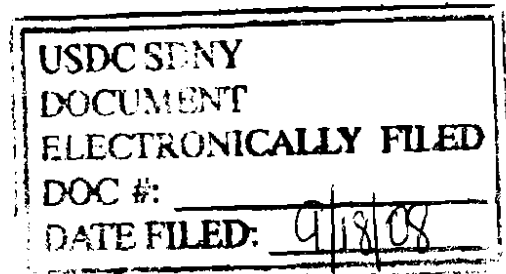


(C. D. R. Baum, J)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA
:
-v.-
:
TIMOTHY KHAN,
:
Defendant.
:
----- -x



ORDER OF FORFEITURE

07 Cr. 355 (MGC)

WHEREAS, on or about April 26, 2007, TIMOTHY KHAN, (the "Defendant"), was charged with a six count Indictment 06 Cr. 371 (GBD) (the "Indictment") in violations of 15 U.S.C. § 78j(b) and 78ff, 17 C.F.R. § 240.10b-5 for securities fraud, and 18 U.S.C. § 1343 and 2 for wire fraud;

WHEREAS, the Indictment included a forfeiture allegation seeking, pursuant to 18 U.S.C. § 981 (a)(1)(C) and 28 U.S.C. § 2461 all property, real and personal, that constitutes or is derived from any proceeds the said defendant obtained directly traceable to the commission of, among other offenses, including, but not limited to a sum of money in the amount of \$7 million in United States currency;

WHEREAS, on or about March 18, 2008, the Defendant TIMOTHY KHAN, pled guilty to counts one and three of the Indictment;

WHEREAS, on or about July 31, 2008, the Defendant was sentenced to a forfeiture money judgment in the amount of \$7 million in United States Currency, representing the amount of

proceeds obtained as a result of the offenses charged in the Indictment; and

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses in the Indictment, for which the defendant plea guilty, a money judgment in the amount of \$7 million shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be final as to the defendant, TIMOTHY KHAN, at the time of sentencing and shall be made part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

4. The Clerk of the Court shall forward four certified copies of this Order to Assistant United States Attorney, Sharon Cohen Levin, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York

~~August~~
September 17, 2008

SO ORDERED:

HONORABLE MIRIAM GOLDMAN CEDERBAUM
UNITED STATES DISTRICT JUDGE